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LATHAM & WATKINS LLP

October 18, 2024

The Honorable George C. Hanks, Jr.
 United States District Judge
 United States Courthouse
 515 Rusk Street, Room 6202
 Houston, Texas 77002

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Re: *In re Alta Mesa Resources, Inc. Securities Litigation*
 Case No. 19-CV-00957 (S.D. Tex.) (consolidated)

Dear Judge Hanks:

In addition to the practical reasons supporting the remaining Defendants' request for a continuance of the trial relating to finalizing and consummating settlements with the Individual Action Plaintiffs to clarify what parties and issues are being tried, AMR, Riverstone, and the Individual Defendants ("Defendants") just learned that Andrew Clubok, who is leading the trial team, needs to have urgent surgery and will be unavailable for trial until sometime in early December. Given that the Court had set December 10, 2024, as the fallback date for trial, Defendants request that the trial be continued to December 10th, or as soon thereafter as the Court prefers for this additional reason, to ensure not only that the Individual Action settlements are finalized but that Mr. Clubok can participate at trial. BCE and ARM, the only other remaining defendants, consent. In addition, the Individual Action Plaintiffs consent to the continuance as a matter of professional courtesy, but the Class Plaintiffs have refused to agree.

Mr. Clubok is one of the most experienced securities trial attorneys in the country, having been lead counsel in numerous securities cases and trials including, most notably, for the defense in *Hsu v. Puma Biotechnology, Inc.*, Case No. 15-cv-00865-DOC-SHK (C.D. Cal.). And he has been a longtime outside counsel for Riverstone who has taken on a growing role as the matter appears truly headed to trial. Simply put, he is instrumental to Defendants' defense team and trial strategy. Indeed, Defendants were counting on Mr. Clubok to deliver the opening statement and closing argument and examine some of the most critical witnesses. Unfortunately, Mr. Clubok's surgeon advised Mr. Clubok this week that he needs to have surgery as soon as possible (specifically noting that any delay beyond a few weeks will materially reduce the chance of a success result from the surgery), and the first available date is November 4, 2024, which is also the day the trial in this case is scheduled to begin. Due to the nature of the injury and the surgery, Mr. Clubok will not be recovered enough to attend trial for a minimum of 4-5 weeks following the surgery.

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Defendants will be prejudiced if they are compelled to proceed to trial without their chosen lead counsel Mr. Clubok. And this prejudice certainly outweighs any prejudice to the Class Plaintiffs from the short delay of trial until the December 10th alternative date.

Respectfully submitted,

/s/ J. Christian Word

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